

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NO. 690121.405USPC U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/562,469
INTERNATIONAL APPLICATION NO. PCT/JP2004/009404	INTERNATIONAL FILING DATE 25 June 2004	PRIORITY DATE CLAIMED 25 June 2003
TITLE OF INVENTION DIGITAL CELL		
APPLICANT(S) FOR DO/EO/US MIYAKE, Masato; YOSHIKAWA, Tomohiro; MIYAKE, Jun		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Statement Under 37 CFR 3.73(b); Paper Copy of Sequence Listing; Amendment Regarding Sequence Disclosures; Declaration Regarding Paper Copy of Sequence Listing; Copy of Notification of Missing Requirements 		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/562,469		INTERNATIONAL APPLICATION NO. PCT/JP2004/009404		ATTORNEY'S DOCKET NUMBER 690121.405USPC	
The following fees are submitted					
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))				\$300.00	\$.00
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$ 0.00	
All other situations				\$200.00	\$.00
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$ 0.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100.00	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB				\$400.00	
All other situations				\$500.00	\$.00
TOTAL OF 21, 22 AND 23 =					\$.00
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
391 - 100 = 291	291/50 =	6		X \$250.00	\$1,500.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).					\$.00
Claims	Number Filed	Number Extra	Rate		
Total Claims	144 - 20 =	124	x \$ 50.00		\$6,200.00
Independent Claims	24 - 3 =	21	x \$ 200.00		\$4,200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$.00
TOTAL OF ABOVE CALCULATIONS =					\$11,900.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$.00
SUBTOTAL =					\$11,900.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$.00
TOTAL NATIONAL FEE =					\$.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$.00
Fee for extension of time to respond to Notification of Missing Requirements (37 CFR 1.136(a)). A Petition for Extension of Time is included.				+	\$.00
TOTAL FEES ENCLOSED =					\$11,900.00
					Amount to be refunded:
					Amount to be Charged:

05/06/2006 ATRAM1 00000153 10562469

01 FC:1681	1500.00 00
02 FC:1615	6200.00 00
03 FC:1614	4230.00 00

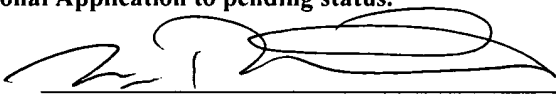
U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/562,469	INTERNATIONAL APPLICATION NO. PCT/JP2004/009404	ATTORNEY'S DOCKET NUMBER 690121.405USPC
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a. ☒ A check in the amount of **\$11,900.00** to cover the above fees is enclosed.
 b. ☐ Please charge my Deposit Account No. **19-1090** in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
 c. ☒ The Commissioner is hereby authorized to charge **any deficiency in the basic national fee** which may be required, or credit any overpayment to Deposit Account No. **19-1090**. A duplicate copy of this sheet is enclosed.
 d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

William T. Christiansen, Ph.D.
 Seed Intellectual Property Law Group PLLC
 701 5th Avenue, Suite 6300
 Seattle, WA 98104-7092
 United States of America
 (206) 622-4900



 SIGNATURE

 William T. Christiansen, Ph.D.
 NAME

 44,614
 REGISTRATION NUMBER

788477_1.DOC

(07/05)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,469	Masato Miyake	690121.405USPC

INTERNATIONAL APPLICATION NO.

PCT/JP04/09404

I.A. FILING DATE	PRIORITY DATE
06/25/2004	06/25/2003

500
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

MISS PARTS:

May 31, 2006

ENTERED IN DOCKET

SEQ List:

May 31, 2006

ENTERED IN DOCKET

Date Mailed: 03/31/2006

CONFIRMATION NO. 8185

371 FORMALITIES LETTER



OC000000018430807

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/22/2005
- Copy of the International Search Report filed on 12/22/2005
- Copy of IPE Report filed on 12/22/2005
- Biochemical Sequence Diskette filed on 12/22/2005
- U.S. Basic National Fees filed on 12/22/2005
- Priority Documents filed on 12/22/2005
- Non-English Language Application filed on 12/22/2005
- Specification filed on 12/22/2005
- Claims filed on 12/22/2005
- Abstracts filed on 12/22/2005
- Drawings filed on 12/22/2005
- Paper nucleotide sequence listings filed on 12/22/2005

RECEIVED

APR 10 2006

Seed Intellectual Property
Law Group PLLC

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$10000 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$12000** for a Large Entity:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- The specification and drawings contain more than 100 pages. Applicant owes **\$2000** for **391** pages in excess of **100** pages for a non-small entity.
- Total additional claim fee(s) for this application is **\$ 10000**
 - **\$3800** for **19** independent claims over 3.
 - **\$6200** for **124** total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,469	PCT/JP04/09404	690121.405USPC

FORM PCT/DO/EO/905 (371 Formalities Notice)